

# THE SENATE HAS SPEED

## SENATE—TWENTY-SEVENTH DAY.

Without Senator Lane to promptly move the adoption of the minutes as read the Senate would be out of joint. Just as regular as the clerk reads these interesting records so regular is the Senator from the Fifth in having them made permanent.

The continued absence of President Bishop is causing alarm among his friends. His promptness in acting upon the reports and bills has much to do with the record for speed which the body has made. His successor has the same characteristics and seems to be well up in rules parliamentary so that there is little lost motion.

Referring to motions Senator Coelho has lost his hold on them. It is only a short time ago that he was counted on to make every motion to adjourn or for recess but as the session proceeds he seems to fall back. Rumor has it that early in the session he required time in which to post himself on divers and sundry matters and as chairman of both Health and Education committees he commended frequently with the heads of those departments.

The Senator's friends aver that the result of the frequent intercourse with Babbitt and Pinkham has prepared him to teach school or practice medicine. For himself, however, it is safe to say that he would rather be a Senator even without the extra session. Maui, by the way, is pretty well represented by men who have had the experience that gives them the power to grasp subjects and handle them as their importance demands. As chairman of the Miscellaneous committee Senator Kalama has done well and there is no such thing as delay with him. There is no doubt if he had had to do with the Appropriation bill it would have been disposed of over night the same as the bills referring to livery stables and what not that his committee has handled recently.

Senator Hayselden, chairman of the Committee on Lands, is known as a careful, conscientious man who will take time to settle in his mind any important question that may be presented to his committee; the Pounds bill, for instance, has had consideration on his part for several weeks. When he reports on the bill it will be found that he has conserved all interests and not worked one against another.

The report of the Ways and Means committee on the Appropriation bill, No. 30, relating to salaries was accepted on Saturday without much stir. It seems that the report is merely a foundation on which to make further cuts or increases in salaries. The House has promised to make a noise like a cyclone in handling the bill on Monday and the Senate will not lie back. Some salaries will have further reconsideration now that the members realize that they were influenced entirely by a member of another committee. The rumor that Assistant Superintendent Howland is to be made an engineer of the Public Works Department at an advance over his present salary lacks verification.

Now that the Governor has his hand in he is willing that the statement of Senator Smith, to the effect that the privilege of the veto is a good thing, without any perhaps to it, be put on the record and he is keeping up his lick.

Veto No. 5 hopped in on Saturday on the hand of Secretary Atkinson and was read at the morning session just a few minutes before the expiration of the time limit. This one is against the bill which provides a hospital for the indigent sick in Kohala. Perhaps before nightfall these same residents of Kohala will make a change of two letters in the word and become indignant; it's not a far cry where the sick and infirm of a district are concerned. The message will have consideration during the day and it may be there will be a change, for there is still time to override.

The Senators are not bawling because the last two are House bills, they think their turn may be the next.

The only new bill introduced Saturday was that by Senator Makekani which relates to trusts in connection with transportation. There is a possibility that this is aimed at the steamship company plying its vessels between Honolulu and the other islands but that fact has not been brought out.

## BILLS SIGNED.

The Secretary reported that the Governor had signed Senate Bill No. 28, Act 18, relating to suspension of sentence in certain cases.

House Bill No. 69, Act 19, relating to elections.

The House reported passage of House Bill 84 and it was read in the Senate by title and passed first reading.

House Bill 119 passed first reading by title.

House Bill No. 152 passed first reading by title.

A communication was received from Clerk Wise to the effect that the House

Conference committee on Bill 182 had agreed on the amendments made by the Senate.

## PETITIONS.

The Pacific Sugar Mill Co., through its agents, F. A. Schaefer & Co., made a claim for one hundred dollars for a delay in a deal in land, the expense to the company having amounted to more than that sum. It was referred to the Public Expenditures committee.

L. C. Lyman, Superintendent of the Hilo Boys' Boarding School, is in with a petition for relief from the iron heel of the subland agent in Hilo. It seems that Mr. Lyman, some years ago, took up a piece of land in the Kaumana settlements but has failed to maintain residence on the land, going there as it suited him. The land has been, it is said, under lease and has been cultivated pretty generally. Lyman, in this instance, is not a bit different from many other homesteaders, though he may have another piece up on the Volcano road which other homesteaders have not. At all events he maintains a residence in the comfortable boarding school instead of the rocky soil in Kaumana.

Senator Makekani presented a petition for funds with which to build an addition to a school house. Senator Coelho made a statement that there is an appropriation for the purpose included in the last loan fund of \$750,000, a bunch of which money has not been used. The Education committee will wrestle with this petition.

House Bill No. 118 is the one relating to the use of writing machines in making official records. Ordinarily one would suppose that this could be acted upon without a question as to the possibility of someone using other than a permanent ribbon in the machine. The question was brought up by Senator Dowsett, and promptly replied to by Senator Smith, who said there are copying ribbons and record ribbons just as there is copying ink and record ink. When a paper is to be copied the typist has sense enough to use a copying ribbon and when it is for permanency a record ribbon is used. Senator Dowsett agreed and the report, which is as follows, was adopted:

Your Miscellaneous committee, to which was referred House Bill No. 118, entitled "An Act to Authorize the Use of Typewriting Machines in Making Public Records," begs leave to report.

The object of the bill is to provide for the keeping of public records in typewritten form and is in line with the most up-to-date method used on the Mainland and elsewhere.

We recommend the passage of the bill.

The Miscellaneous committee reported on House Bill No. 128 as follows:

Your Miscellaneous committee, to which was referred House Bill No. 128, entitled "An Act to Amend Section 1379 of the Revised Laws of Hawaii, relative to Livery Stables," begs leave to report.

The object of the bill is to amend the present law so that the license fee for livery stables shall be \$25.00 per annum in all districts outside of the District of Honolulu.

The present law makes no provision for licensing livery stables other than the districts of Wailuku, Maui, and Hilo, Hawaii.

We recommend the passage of the bill.

Senator Dowsett made his long looked for report on the salary bill as published in this paper yesterday.

Senator Smith, from the Judiciary committee, reported on House Bill No. 78, as follows:

The bill provides that "all children born out of wedlock, irrespective of the marriage of either parent to another become legitimate on the marriage of the parents with each other and are entitled to the same rights as those born in wedlock."

The present law upon the subject is contained in Section 2283 of the Revised Laws of Hawaii, as follows: "All children born out of wedlock are hereby declared legitimate on the marriage of the parents with each other, and are entitled to the same rights as those born in wedlock." and the bill under consideration seeks to amend the section so as to permit the legitimating of children by the subsequent marriage of their parents, notwithstanding that when such children were born, either parent, or even both parents, were married to another or others.

The plan proposed by the bill exceeds the utmost range of subsequent legitimization which we have been able to find. From early times it has been rigidly held that the subsequent legitimization of children born out of wedlock should only be permitted in case of conception and birth of children whose parents, although unmarried at the time, were under no disability which would have prevented a lawful marriage between them. The idea was based upon the very fiction of law, invented to remove from innocent children the stain of bastardy, that as the parents might have been or could have been married to each other, the law would permit them to be considered as though they had been so married.

But so far as we have been able to ascertain the plan of legitimating children has never been extended to children born of parents who could not by any possibility have been able to contract legal marriage with each other at the time.

Your committee believes that the law as it now stands covers all range that is proper. The effect is to encourage into an honorable relation of lawful marriage what has heretofore been illicit and injurious to society, and to some extent relieve the opprobrium of bastardy. But, to go fur-

ther, and permit persons, one or both being already married to another or others, and incapable of lawful marriage with each other, to indulge in adultery, and enable them to proceed thereupon upon the assurance that however many children may result from such unlawful relations, such children may always be legitimated by their parents at any time when freed from their present matrimonial bonds, would tend to degrade the sacredness of marriage. It would, in the words of our own Supreme Court, expressed in the case of Kekula vs. Fioewa, 4 Haw. 224, in which case this very subject was considered, "tend to inspire those who have formed such an adulterous alliance with a desire to put their lawful partners out of the way, or to get rid of the obligations of marriage in some manner."

It may be that the proposed amendment is very much desired to enable some special person or persons to be legitimated, who cannot, under the present law, be so benefited. But your committee submits that it would be unwise, however deserving those persons might be, and with all respect to the intent to right suffering innocence, to open the wide way for looseness in marriage relations, which in their general moral effect upon the public might work untold injury and even become the direct cause of increasing the number of such unfortunate ones.

Your committee recommends that the bill be tabled.

## THIRD READING.

There were but two bills ready for third reading on Saturday. Senate Bill 69, relating to private schools, reported on Friday, was ready but for some reason Senator Woods asked that action be postponed until Tuesday.

House Bill No. 92, relating to private ways and water rights, provided that the records in such cases should be kept in the charge of the clerk of the Supreme Court. On motion of Senator Smith, who had already signed the report recommending the passage of the bill, it was decided to amend so records would be kept in the Circuit Court, for if at any future time reference had to be made to them they would be convenient. The bill passed as amended.

## SECOND READING.

The typewriting record bill passed second reading on the adoption of the committee report.

House Bill No. 128, relating to livery stables, passed second reading on the adoption of the report of the committee.

House Bill No. 113 was laid on the table and substitute Bill No. 78, introduced in the Senate, amended so as to read "furious or heedless driving or riding," passed second reading.

House Bill 64 was reported as follows and passed second reading on the adoption:

Section 17 of the County Act provides that "any person shall be eligible to fill any elective office created by the provisions of this Act who shall be a citizen of the United States of America and of the Territory of Hawaii," etc.

Section 1 of the bill under consideration amends Section 17 by making the conditions of eligibility apply to appointive offices as well as to elective offices, and we approve of the amendment.

Section 2 of the bill proposes to amend Section 62 of said Act. Section 62 defines the specific powers of the Board of Supervisors and gives them the power among other powers "to fix the salaries of all county officers, not herein otherwise provided for." Section 2 of the bill proposes to add to this provision the following: "said salaries shall not be in excess of those of the elective officers other than the supervisors."

We do not approve of this amendment and therefore recommend that Bill 64 be amended by striking out Section 2 thereof, and with this amendment recommend the passage of the bill.

The special county committee reported as follows on Senate Bill No. 73, which passed on the adoption of the report:

The Special County committee have had under consideration Senate Bill No. 73, entitled "An Act to provide for the exercise by counties of the power of eminent domain for certain public purposes, and recommend the passage of the bill."

It seems desirable that the respective counties should have the power to condemn private property for public uses and the provisions of the bill seem to be suitable and properly expressed.

Senate Bill No. 1 is the oldest of the session and has been so long in the hands of the committee that it was almost forgotten. It was called for second reading Saturday when the report was read. It would have gone by the board but for the motion of Senator Coelho to defer action for a week. The following expresses the opinion of the committee:

Section 1 of the bill provides that the county treasurer may draw warrants for the payment of monthly salaries of county officers on payrolls approved by the head or deputy of the department where employed and the county supervisor of the district to be authorized to approve such payrolls. The approval of the County Clerk is also required.

Section 2 of the bill authorizes county auditors to draw warrants on the county treasurer semi-monthly for the payment of wages due county employees, providing the payrolls are approved by the head or deputy of the department in charge of the work and the county supervisor of the district where the services was rendered, and the county clerk.

The Special County committee does not approve of these amendments and recommends that the bill be laid upon the table. The government of each county is to be carried on by a Board of Supervisors acting as a board, and the authority sought to be given by the bill to individual supervisors would, in our opinion, be subversive of an essential principle of county government.

The rules were suspended to allow

# THE RECORD IS BROKEN

## HOUSE—TWENTY-SEVENTH DAY.

A mass of reports from standing committees was gone through at the Saturday session of the House, the Public Lands committee leading all others by laying fifteen reports on the table and having them all adopted but one, which was deferred. This is a record unprecedented in Hawaiian legislatures, according to a statement from the speaker.

There were some debates over the reports, that relating to the elections of road supervisors especially.

There was some little interest taken in the movement of the hands of the big clock during the opening hour, the speaker having announced that the Kohala hospital bill would become law at twenty minutes past ten unless vetoed by the Governor before that time. The veto arrived with half an hour to spare, however.

## Morning Session.

A communication from Secretary Atkinson respecting two bills which had received the signature of the Governor was the first business taken up by the House on Saturday morning. These are House Bill 69, Act 19, relating to elections, and Senate Bill 28, Act 18, regulating the removal of suspension of sentence of any convicted person.

## MANY REPORTS.

The Judiciary committee reported on a large part of the number of bills and resolutions in its hands.

An amendment to the County Act, putting all the previous amendments respecting removal from office or impeachment of county officials for maladministration and the appointment of successors, was recommended.

Mahoe wanted to know if the bill contained any clause providing for an appeal from the finding of a board of impeachment. Rawlins said there was not and could not be without imperiling the County act. Only by enlarging the power of the Supreme Court and proceeding under a writ of certiorari, could an appeal be taken. The report and bill passed.

House Bill 103, relating to terms of Circuit Courts, passed second reading.

Senate Bill 59, making of certain county officers ex officio bailiffs, passed.

House Bill 129, providing for the automatic lapsing to the public of lands used as public highways for five years without protest from the owner, was tabled, the matter being already covered by Chapter 48, Revised Laws.

Sheldon's measure, relating to the promulgation of laws, was favorably reported and passed.

Senate Bill 18, relating to appeals from the Court of Land Registration, passed.

Sheldon's bill, relating to vested fishing rights, was recommended for tabling, on the ground that a repeal of the present statute might create a great deal of mischief to land-owners and might possibly create litigation. The report was adopted.

House Bill 52, relating to reserved questions, passed.

House Bill 91, relating to costs of court, was passed.

House Bill 106, providing for the compensation of the second district magistrate of Honolulu, passed.

House Bill 109, relating to costs and fees, amending Section 1895 of Revised Laws, passed.

House Bill 137, Senate Bill 58, a Ways and Means Committee bill, passed.

House Bill 102, relating to juries, was passed.

House Bill 54, fixing the salaries of county and district officers, was tabled.

House Bill 22, prohibiting drunkenness on election days, was tabled, a law regarding the offense being already in effect and needing only enforcement.

Senate Bill 46, providing for witness fees in criminal cases, was passed after the fee for attendance had been amended from \$1 to 50 cents.

House Bill 12, revising Section 1855 and inserting a new section, was tabled.

The House bill which provides for the appointment by deputy sheriffs of the police officers serving under them, was recommended for tabling, the sheriff being responsible for the enforcement of the law and being the proper one to appoint such officers.

## ELECTION OF ROAD SUPERVISORS.

A majority report recommended the clerk to read a reply to some questions put by Senator Makekani some time ago and answered by the treasurer. The matter was one relating to the assessment on leases in the public lands.

Senator Makekani gave notice of his intention to introduce a bill relating to trusts in so far as they affect transportation.

At 11:45 the Senate adjourned until this morning at 10.

tabling of Sheldon's bill to authorize the election of road supervisors, Rawlins, Long and Conroy signed the report, with Sheldon and Waiwai dissenting.

Sheldon explained that he had introduced the bill so that the road supervisors might be paid salaries equal to those of other county officials.

Correa thought that Sheldon was shooting at Sam Johnson, the name as the bill allowing one man to hold only one office.

Rawlins said he wanted to see the people hold the reins of government, but thought the election of a road supervisor a mistake. The road supervisor handles the bulk of the money spent and if uncontrolled would have too much power to use against the people. The speaker had found that incompetent men were sometimes in control of road work and the loss to the county was great. On the outside islands it was not always possible to get a competent man.

An elected road supervisor could build up a machine that would put the police machine to shame.

Kaleiopi objected to the bill on the ground that the law limited the election of road supervisor to those able to read and write English, thus barring out most Hawaiians.

Kaleo thought that the bill could be amended to allow those speaking Hawaiian to be also candidates.

Conroy pointed out the difficulty which might be found on Maui and Kauai in getting a competent man. Now, on Maui, there was no road supervisor, as there was nothing for one to do, but if the office was an elective one, they would have to have one all the time just to draw his salary.

Pali said that the people had to guard the interests of themselves, their wives and children, and the election of a road supervisor would be a move in the way of progress, an evidence of the guarding of best interests. The county system was growing and the ideas of the people were progressing through having the power placed in their hands. By the present law no incompetent man will be elected, but it will take away from the supervisors the power they now have to appoint their favorites. He would like to inform the House that if Maui had no man fit to be a road supervisor, she had neither any open, leaky one hundred thousand dollar dam. If the Judiciary committee did not like the bill why did the members not fix it up in proper shape and not send it back for tabling? The chairman of that committee was usually ready to put on amendment after amendment.

Rawlins resented this remark and expatiated on the good, hard work his committee was doing over all its bills and this one in particular. The square deal was what he tried to hand out to all members, not the throttling of legislation nor the throwing of any unconsidered bills back on the House.

Kaleiopi closed the debate by a whirlwind speech demanding equal privileges for Hawaiian speakers with English speakers in the bill.

Sheldon moved that the matter be deferred until Tuesday, this motion carrying.

## MORE MONEY ASKED FOR.

A Financial committee report recommending the insertion of an item of \$10,000 in the appropriation bill for the erection of a breakwater at Kahanui, Koolaula, Oahu, was ruled out of order but admitted on being amended to read "Loan Bill." The report was adopted.

The Public Lands and Improvements committee reported on House Petition 35, asking for \$4000 for the Kapoho homestead road, Puna, recommending that the matter be tabled to await the reply of the Governor regarding the Road Loan appropriations.

The Finance committee returned Petition 23, asking that it be translated into English, Rice withdrawing the report because it dealt with increasing the salaries of supervisors from \$50 to \$100 a month, already before the House.

Two of Sheldon's bills were reported for tabling, one relating to the adoption of children and the other to the payment of a commission to deputy assessors.

## NEW BILLS.

Hughes presented a petition relating to certain lands at Hamakua, to which the Pacific Sugar Mill wants title. The matter will be looked into by the Judiciary committee.

Sheldon introduced a bill asking for \$15,000 for the Waimea breakwater, asking that the same be rushed.

Kaleiopi passed in a resolution asking for \$5000 for the completion of Puloa road, between Moanalua and Puloa station.

## THIRD READINGS.

House Bill 117, providing for the funding of money received from the sale of improvements on lapsed public lands for the future purchase of the same, passed its final stage in the House.

House Bill 134, dealing with the erection of a board of medical advisers for the territorial asylum, was passed. Rawlins related an instance showing the necessity of such a bill, he and some other members of the House having found an escaped lunatic on the streets the previous night, a man whose reason would perhaps have been regained if the proper attention could

# MAN'S HEAD IS IN PERIL

Every community has happenings which periodically stir it to a state of excitement and interest. Local Chinatown is no exception to the rule.

Last year the great event lay in the circumstances attending the disposal of the boycott fund. Feeling in the matter ran so high that at times a long war was well within the range of probabilities.

Today Honolulu's Chinatown is stirred up over the affairs of one Yee Bing who left for China by the last Mongolian and who, together with his relatives at home, is in danger of summary and total extinction, once an article printed in a local vernacular sheet, accusing Yee Bing, of visiting his country on a rebellious mission, reaches the eyes of the government at Peking.

Yee Bing, with a number of other young men, withdrew from membership with the Bow Wong Society on account of the alleged grafting and thuggish methods of said society. They formed a new society called the Chinese Merchants' Association, which grew and prospered. Of this society Yee Bing was elected treasurer.

Business interests called Yee Bing to China and, as stated, he departed recently.

The Bow Wongs are extremely jealous of the Merchants' Association and bear it no good will. Their organ is the Sun Chung Kwok Bo.

No sooner had Yee Bing left than a scurrilous article appeared in the newspaper named stating that Yee was a dangerous man and an anarchist, that he was going to China to foment uprising and that he carried with him a large sum of money entrusted to him by a revolutionary association of which he was treasurer, to be used in furthering the society's rebellious cause.

As soon as Yee's friends read the article they decided that if they wanted him to remain in the land of the living they would have to be up and doing. The defamatory article in a viceroys hands would mean a highly unpleasant time for Yee Bing and his people.

Wo Sing, the well-known grocer, and a cousin of the departed Yee, started the ball rolling by calling a meeting of his society, the Chung Shin tong, two weeks ago.

At this meeting a committee was appointed to request a retraction from the editor of the Sun Chung Kwok Bo and to state that failing to receive such retraction, suit for libel would be brought.

The editor promised to retract and apologize, but nothing to that effect appeared in his paper.

Then it was decided to hold a meeting of the United Chinese Societies. It appears that the Chinese minister at Washington has decreed that all matters referred to him from Honolulu must be brought to his attention through the medium of the consul, waited upon by the United Societies.

The meeting of the United Societies took place last week and the hall was packed with Yee Bing's sympathizers. Although the offending editor had been invited to be present and state his side of the case, he failed to put in an appearance.

The meeting resulted in the appointment of a committee of five who were instructed to confer with the editor and manager of the Sun Chung Kwok Bo and ask them to publish a statement contradictory of the one maligning Yee Bing.

Should the editor and manager refuse to comply with this request, the matter will be brought to the attention of the Chinese consul, who will in turn communicate with the minister at Washington, who will get in touch with the viceroys of Yee Bing's province in time, it is hoped, to save Yee's head and the heads of the members of Yee's family.

have been given him. He did not criticize the present asylum staff, but deemed three heads better than one.

Senate Bill 68 was sent down from the Senate and carried through the first reading.

## GOVERNOR'S MESSAGE.

Shortly after the House had been called to order Speaker Holstein announced that House Bill 7 would become law at 10:20 o'clock unless the Governor was heard from, the bill having been in his hands ten days by that hour. With a good half hour to spare, however, the Governor's veto was sent down.

The veto is based on the grounds that the title of the bill was the establishment of a hospital at North Kohala, but the bill itself created a poor-house. The bill carried no appropriation and would leave the Board of Health in an awkward position if no appropriation be made. The number of appropriations now being considered would not allow of such an appropriation, as the finances of the Territory would not stand it.

Hughes thought that if the salaries of everybody could be raised the Territory could take care of its poor.

Rawlins reminded the House that he had told them so and predicted the same fate for the Kalihl receiving hospital bill, which likewise carries no appropriation.

Further consideration was delayed until Monday.

Senate Bill 55, providing for the filing of notices of increased capital stock by corporations, passed second reading.

The House adjourned at noon until this morning, the members being invited by the Education committee to visit the boys' industrial school at Kahuku, the Molokai and Lanai trips having been postponed.